

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In Re:

FURIE OPERATING ALASKA, LLC, *et al.*,¹

Debtors.

SHELF DRILLING OFFSHORE RESOURCES
LIMITED II,

Plaintiff,

v.

CORNUCOPIA OIL & GAS COMPANY LLC,
FURIE OPERATING ALASKA LLC, CORSAIR
OIL & GAS LLC, AND ENERGY CAPITAL
PARTNERS MEZZANINE OPPORTUNITIES
FUND LP,

Defendants.

Chapter 11

Case No. 19-11781 (LSS)
(Jointly Administered)

Adv. Proc. No. 19-51175 (LSS)

(Removed from the Superior Court for
the State of Alaska, Third Judicial
District at Anchorage, Case No. 3AN-
18-07123CI; transferred from U.S.B.C.
D. Alaska, Adv. No. 19-90009 - GS)

Related Adv. Dkt. Nos. 4, 7, __

**ORDER GRANTING SHELF DRILLING’S MOTION TO SEVER, RETRANSFER AND
REMAND, OR IN THE ALTERNATIVE TO ABSTAIN FROM HEARING, CLAIMS
AGAINST NON-DEBTOR ENERGY CAPITAL PARTNERS
MEZZANINE OPPORTUNITIES FUND LP**

Upon the motion (the “*Motion*”)² of Shelf Drilling Offshore Resources Limited II (“*Shelf Drilling*”) for entry of an order (this “*Order*”) severing, retransferring and remanding, or in the alternative to abstain from hearing, Shelf Drilling’s claims against non-debtor Energy Capital Partners Mezzanine Opportunities Fund LP (“*ECP*”) to the Bankruptcy Court for the District of Alaska and the Superior Court of the State of Alaska, as more fully described in the Motion; and

¹ The Debtors, together with the last four digits of each Debtor’s federal tax identification number, are: Furie Operating Alaska, LLC (8721); Cornucopia Oil & Gas Company, LLC (9914); and Corsair Oil & Gas LLC (8012). The location of the Debtors’ corporate headquarters and the service address for all Debtors is 188 W. Northern Lights Blvd. Suite 620, Anchorage, Alaska 99503.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

the Court having found that it has jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having found that this Motion is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that the relief requested in the Motion is in the interests of justice; and the Court having found that Shelf Drilling provided appropriate notice of the Motion; and the Court having reviewed the Motion and all pleadings and papers filed in support thereof; and the Court having noted that no opposition has been filed thereto; and upon all of the proceedings had before the Court, and after due deliberation and sufficient cause appearing therefor, it is hereby:

ORDERED, ADJUDGED, AND DECREED THAT:

1. The Motion is GRANTED as set forth herein.
2. All claims against ECP set forth in this adversary proceeding (the “Severed Claims”) are severed from claims against the Debtors. The Severed Claims shall be deemed to constitute a separate adversary proceeding for purposes of this Order.
3. The Severed Claims are hereby remanded to the Anchorage Superior Court of the State of Alaska, where they were originally filed.
4. Shelf Drilling is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion, including without limitation filing an appropriate complaint or amended complaint in the Adversary Proceeding or in a separate proceeding involving only the Severed Claims.
5. Notice of the Motion was good and sufficient notice of such Motion, and the requirements of Bankruptcy Rule 2002 and the Local Rules are satisfied by such notice.
6. Subject to further orders of the Court, the Court retains jurisdiction over claims against the Debtors set forth in this Adversary Proceeding.

7. The Court retains jurisdiction with respect to interpretation of this Order.

Dated: May 27th, 2020
Wilmington, Delaware


LAURIE SELBER SILVERSTEIN
UNITED STATES BANKRUPTCY JUDGE